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Date: 5th November 2021

Dear Sir/Madam,

A meeting of the **PLANNING APPLICATIONS COMMITTEE** will be held in
**Council Chamber of the Town Hall, Nuneaton on Tuesday, 16th November 2021 at
6.00p.m.**

Public Consultation on planning applications will commence at 6.00 p.m. (see
Agenda Item No. 6 for clarification).

Please note that meetings may be recorded for future broadcast.

Yours faithfully,

BRENT DAVIS

Chief Executive

To: All Members of the Planning
Applications Committee

Councillor L. Cvetkovic (Chair)
Councillors S. Croft, K. Evans, B.
Hammersley, K. Kondakor, S. Markham, B.
Pandher, M. Rudkin, J. Sheppard (Vice-
Chair), R. Smith, and K. Wilson.

AGENDA

PART I - PUBLIC BUSINESS

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Virgin Money building (formally the Yorkshire Bank) on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

Chair to advise the meeting if all or part of the meeting will be recorded for future broadcast.

2. APOLOGIES - To receive apologies for absence from the meeting.

3. MINUTES - To confirm the minutes of the meeting held on 2nd November 2021, attached **(Page 5)**.

4. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda **(Page 11)**. Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Democratic Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

5. DECLARATIONS OF CONTACT

Members are reminded that contacts about any Planning Applications on this agenda must be declared before the application is considered

6. APPLICATIONS FOR PLANNING PERMISSION ON WHICH THE PUBLIC HAVE INDICATED A DESIRE TO SPEAK. EACH SPEAKER WILL BE ALLOWED 3 MINUTES ONLY TO MAKE THEIR POINTS – the report of the Head of Development Control attached. **(Page 14)**

7. APPLICATIONS FOR PLANNING PERMISSION ON WHICH NO MEMBER OF THE PUBLIC HAS INDICATED A DESIRE TO SPEAK – the report of the Head of Development Control attached. **(Page 14)**
8. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

NUNEATON AND BEDWORTH BOROUGH COUNCIL

PLANNING APPLICATIONS COMMITTEE

2nd November 2021

A meeting of the Planning Applications Committee was held on Tuesday, 2nd November 2021, in the Council Chamber.

Present

Councillor L. Cvetkovic (Chair)

Councillors: S. Croft, K. Evans, K. Kondakor, S. Markham, B. Pandher, M. Rudkin, R. Smith and M. Walsh (substitute for Councillor K. Wilson .

Apologies: Councillors B. Hammersley, K. Wilson and J. Sheppard.

PLA34 **Minutes**

RESOLVED that the minutes of the meeting held on 12th October 2021 be confirmed and signed by the Chair.

PLA35 **Declarations of Interest**

RESOLVED that the Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes.

PLA36 **Declarations of Contact**

Councillor Smith declared that he had visited the neighbouring property for application 038153 but had not given no indication as to how he intended to vote.

IN PUBLIC SESSION

PLA37 **Planning Applications**

(Note: Names of the members of the public who submitted statements or spoke are recorded in the Schedule).

RESOLVED that decisions made on applications for planning permission are as shown in the attached schedule, for the reasons and with the conditions set out in the report and addendum, unless stated otherwise.

Chair

SCHEDULE OF APPLICATIONS FOR PLANNING PERMISSION AND RELATED MATTERS REFERRED TO IN MINUTE PLA37 OF THE PLANNING APPLICATIONS COMMITTEE ON 2ND NOVEMBER 2021

038153 – 384 Tuttle Hill, Nuneaton, Warwickshire, CV10 0HR

Applicant: Mr Ashok Kumar Bhakta

Public Statements: Ms Marian Wilson, Countillor T. Cooper and a written statement from Mr Ashok Bhakta.

DECISION

Planning permission be granted subject to the conditions as printed in the agenda and addendum with additional conditions relating to the requirement for screening and soundproofing, in the interests of protecting residential amenity of surrounding properties and future occupiers. These additional conditions are outlined below:

No development above ground level shall commence until landscaping details for the provision of a hedge along the north- western side boundary with 386 Tuttle Hill has been submitted to and approved in writing by The Council. No occupation of the new flats shall take place until the hedge and landscaping has been planted/laid out on site in accordance with the details approved, unless otherwise agreed in writing by the Council. If during the first five years after the permission is implemented any tree, hedge, shrub or plant approved by the details of this conditions dies or is removed, a replacement will be installed of similar type, variety and maturity.

Also, no occupation of the flats hereby approved shall take place until details of noise/sound insulation between the new flats and number 386 Tuttle Hill has been submitted to and approved in writing by the Council and then subsequently installed.

038289– 10 Elmfield Road, Nuneaton, Warwickshire, CV10 0EA

Applicant: Mr F. Goldstein

Public Statements: Mr F. Goldstein.

DECISION

Planning permission be granted subject to the conditions as printed in the agenda.

Planning Applications Committee - Schedule of Declarations of Interests – 2021/2022

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> - Housing matters - Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992 - An allowance, payment given to members - An indemnity given to members - Any ceremonial honour given to members - Setting council tax or a precept under the Local Government Finance Act 1992 - Planning and Licensing matters - Allotments - Local Enterprise Partnership
	S. Croft	Employed at Holland & Barrett Retail Ltd	Treasurer of the Conservative Association Member of the following Outside Bodies: <ul style="list-style-type: none"> • Champion for Safeguarding (Children and Adults) • Local Government Superannuation Scheme Consultative Board • West Midlands Employers 	
	L. Cvetkovic	Head of Geography (Teacher), Sidney Stringer Academy, Coventry	The Bulkington Volunteers (Founder); Bulkington Sports and Social Club (Trustee) Member on the following Outside Bodies: <ul style="list-style-type: none"> • Building Control Partnership Steering Group 	
	K. Evans	Employed by UK Parliament	Sponsorship: Election Expenses – North Warwickshire Conservative Association Membership of Other Bodies: <ul style="list-style-type: none"> • Sherbourne Asset Co Shareholder Committee; • Nuneaton and Bedworth Sports Forum; 	

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			<ul style="list-style-type: none"> • Warwickshire Direct Partnership; • Warwickshire Waste Partnership; West Midlands Combined Authority Audit Committee. Executive Officer – North Warwickshire Conservative Association; Member of the Conservative and Unionist Party; Member of the Governing Body – Race Leys Infant School	
	B. Hammersley	County Councillor – W.C.C.		
	K.A. Kondakor	Electronic Design Engineer (self-employed semi-retired); Statistical data analyst and expert witness (self employed)	Unpaid director of 100PERCENTRENEWABLEUK LTD Spouse: Leafleting for your Call Magazine one day every 6 weeks	
	S. Markham	County Councillor – W.C.C.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch 	
	B. Pandher	Member of Warwickshire County Council	Treasurer & Trustee of Nanaksar Gurdwara Gursikh Temple; Coordinator of Council of Sikh Temples in Coventry; Secretary of Coventry Indian Community; Trustee of Sikh Monument Trust Vice Chair Exhall Multicultural Group Member of the following Outside Bodies: <ul style="list-style-type: none"> • Foleshill Charity Trustee – Proffitt's Charity 	
	M. Rudkin	Employee of Coventry City Council	Unite the Union	
	J. Sheppard		Partnership member of the Hill Top and Caldwell Big Local. Director of Wembrook Community Centre.	Dispensation to speak and vote on any matters of Borough Plan that relate to the Directorship of Wembrook Community Centre

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
			Member of the Management Committee at the Mental Health Drop in.	
	R. Smith		<p>Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club;</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership; • Patrol (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum <p>Representative on the Digital Infrastructure Board.</p>	
	K.D. Wilson	Acting Delivery Manager, Nuneaton and Warwick County Courts, HMCTS, Warwickshire Justice Centre, Nuneaton	<p>Nuneaton Conservative Association</p> <p>Corporate Tenancies: properties are leased by NBBC to Nuneaton and Bedworth Community Enterprises Ltd, of which I am a Council appointed Director.</p> <p>Representative on the following:</p> <ul style="list-style-type: none"> • Director of Nuneaton and Bedworth Community Enterprises Ltd (NABCEL) • Coventry, Warwickshire and Hinckley & Bosworth Joint Committee • District Council Network • Local Government Association • Director of Coventry and Warwickshire Local Enterprise Partnership Ltd (CWLEP) • West Midlands Combined Authority • Deputy Chairman – Nuneaton Conservative Association • District Council Network • Local Government Association 	

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	K. Evans	Employed by UK Parliament	Sponsorship: Election Expenses – North Warwickshire Conservative Association Membership of Other Bodies: <ul style="list-style-type: none"> • Sherbourne Asset Co Shareholder Committee; • Nuneaton and Bedworth Sports Forum; 	

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	B. Hammersley	County Councillor – W.C.C.		
	K.A. Kondakor	Electronic Design Engineer (self-employed semi-retired); Statistical data analyst and expert witness (self employed)	Unpaid director of 100PERCENTRENEWABLEUK LTD Spouse: Leafleting for your Call Magazine one day every 6 weeks	
	S. Markham	County Councillor – W.C.C.	Member of the following Outside Bodies: <ul style="list-style-type: none"> • Bedworth Neighbourhood Watch 	
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	M. Rudkin	Employee of Coventry City Council	Unite the Union	
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	R. Smith		<p>Chairman of Volunteer Friends, Bulkington; Trustee of Bulkington Sports and Social Club;</p> <p>Member of the following Outside Bodies:</p> <ul style="list-style-type: none"> • A5 Member Partnership; • Patrol (Parking and Traffic Regulation Outside of London) Joint Committee; • Building Control Partnership Steering Group • Bulkington Village Community and Conference Centre • Representative on the Nuneaton and Bedworth Older Peoples Forum <p>Representative on the Digital Infrastructure Board.</p>	
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Applications for Planning Permission etc.
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Planning Applications

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Wards:					
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BA	Barpool	BE	Bede	BU	Bulkington
CH	Camp Hill	EX	Exhall	GC	Galley Common
HE	Heath	KI	Kingswood	PO	Poplar
SL	Slough	SN	St Nicolas	WB	Wembrook
WE	Weddington	WH	Whitestone		

PLANNING APPLICATIONS

Item No. 1

REFERENCE No. 038151

Site Address: 109 Hinckley Road, Nuneaton, Warwickshire, CV11 6LJ

Description of Development: Single storey extension to rear including access ramp, two-storey extension to front and erection of residential annex

Applicant: Mr Lewis Jackson

Ward: SN

RECOMMENDATION:

Planning Committee is recommended to grant planning permission, subject to the conditions printed.

INTRODUCTION:

The application is for a single storey extension to rear including access ramp, and a two-storey extension to front and erection of residential annex at 109 Hinckley Road Nuneaton Warwickshire CV11 6LJ.

109 Hinckley Road is a two-storey semi-detached property located on Hinckley Road. The attached neighbour in the semi-detached block is 111 Hinckley Road. The applicant property is constructed of white and cream render, with a hipped roof.

The front of the applicant property is mainly the render which the majority of the property is constructed of, however on the first floor there is a decorative brick section above the front door. There is a two-storey bay window, separated by a section of wooden render and the front door is black uPVC rather than the white uPVC which is present throughout the property. The road, Hinckley Road, is slightly above the level of the house as the path slopes up towards the road slightly.

At the rear of the property there is evidence of an existing single storey rear which has rear doors which are above the ground level. This means that we can say that the property is slightly raised above the ground level of the rear garden. The rear garden is long, approximately 75-80m in length from the ground floor rear elevation to the rear boundary feature. The rear side boundaries are wooden fences on top of concrete godfathers with concrete block holding them up. The fence and godfather are approximately 1.8m in height and the concrete poles are slightly higher than them.

RELEVANT PLANNING HISTORY:

- 017388- Single storey extension - Approved May 1984

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development

- BE3 – Sustainable design and construction
- Supplementary Planning Guidance / Supplementary Planning Documents.
- Sustainable Design and Construction SPD 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

WCC Highways

CONSULTATION RESPONSES:

No objection subject to conditions from:
WCC Highways

NEIGHBOURS NOTIFIED:

Neighbouring properties were sent letters notifying them of the proposed development on 5th July 2021.

NEIGHBOUR RESPONSES:

There have been 5 objections from 4 addresses. The comments are summarised below;

1. Goes against the deeds of the property and the neighbouring properties
2. Negative impact on the aesthetics of the area
3. Overshadows the front windows of the property
4. Major issues over the use of the annex and the how in the future the annex will be used, including possibly renting out, running a business, and operating separately from the main house
5. Issues with the location of trees, falling distances and neighbouring gardens
6. The proposed Juliet balcony will negatively impact the privacy of the neighbouring gardens
7. The proposal is overbearing and out of scale with the nearby properties
8. The proposed 2 storey extension to front will result in a loss of light
9. The proposed 2 storey extension to front is out of character with the neighbouring properties
10. The proposed 2 storey extension to front will negatively impact the visual amenity of the area
11. The water pressure will be less if more buildings, rooms including the annex are built and use the water for the area
12. Overbearing structure in the street scene
13. Restrict the views towards the town
14. Increase in traffic and the highway issues associated with the extra rooms and the annex
15. Not in keeping with the area and as mentioned before the annex could be rented out and used separately to the main property

APPRAISAL:

The key issues to assess in the determination of this application are;

1. Impact on Residential Amenity
2. Impact on Visual Amenity
3. Impact on Highway Safety
4. Conclusion

1. Impact on Residential Amenity

Section 11 of the Sustainable Design and Construction SPD 2020 indicates how the impact on the residential amenity is assessed and how the proposed extension at 109 Hinckley Road will affect the neighbouring properties, which in this case are the adjacent neighbours, 107 and 111 Hinckley Road. There are 3 separate elements to this application which will be assessed separately but if one of the elements is deemed unacceptable then the entire proposal will be recommended for refusal.

Two storey extension to front

Impact on 107 Hinckley Road

107 Hinckley Road is a two-storey detached property and as such the front elevation could be impacted by this element of the proposal. The front elevation of this property has the front door and a window on the ground floor and two further windows on the first floor. The front door cannot be protected under paragraph 11.3, however the window can as it is for a living room which is a habitable room and thus can be protected. As such, a 45-degree line is drawn as the proposal is a storey higher than this window which the extension must not breach. Once drawn, the line is not breached, and this window is not negatively impacted by the proposal. The two windows on the first floor are directly above the door and living room window on the ground floor. They are both for habitable rooms and as such a 60-degree line will be drawn from the centre of these windows which the proposal must not breach. Once drawn the line is not breached and this elevation is not negatively impacted by the proposal.

Impact on 111 Hinckley Road

111 Hinckley Road is a two-storey, semi-detached property and as such only the front elevation could be impacted by the proposed front extension at 109 Hinckley Road. 111 Hinckley Road has a bay window for a living room and the front door on the ground floor of this elevation and on the first floor is has a bay window for a bedroom and a smaller window for a landing or bathroom. The amended plans show that the proposed front elevation will only extend past the current front elevation of the applicant by less than a metre. This means that no 45 or 60 degree line will be breached by this proposed extension and is therefore acceptable.

Single storey to rear with access ramp

The access ramp does not extend past the proposed elevations and is low to the ground. Therefore, if the extension is acceptable then the ramp will also be acceptable

Impact on 107 Hinckley Road

This property has a two-storey extension to rear on or close to the boundary with this property. No openings on this extension can be protected under paragraph 11.3 and furthermore this extension blocks any openings on the original rear elevation of this property from being impacted by the proposal at 109 Hinckley Road. The extension also extends and is part of the side extension and so the side elevation is also not impacted by the proposed single storey to rear.

Impact on 111 Hinckley Road

This property has a single rear extension constructed at this address and so any openings here cannot be protected under paragraph 11.3. This extension projects along the entire ground floor elevation and as the extension is single storey the first floor will be unimpacted. Overall, the proposal will not have a detrimental impact on this property.

Erection of residential annex to rear

Impact on 107 Hinckley Road

The proposed annex is located on the opposite boundary to this property and as such none of the elevations of number 107 will face the proposed annex and it will not project directly alongside the side boundary of this property. Therefore, it can be concluded that the annex will not impact the residential amenity of this property.

Impact on 111 Hinckley Road

The proposed annex is located on the boundary with this property and will project 5.5m alongside it. Although this is over the 4m that is indicated in section 11 of the Design SPD, it is not next to the primary private rear amenity space as it is located at over 30m from number 111 which is over halfway down their rear garden. This is not the primary amenity space and so this means that it is acceptable and will not have a significant negative impact on the residential amenity of this property.

2. Impact on Visual Amenity

Section 13, paragraphs 13.8-13.12, of the Sustainable Design and Construction SPD 2020, indicates how extensions and alterations to the existing houses should impact the visual amenity of an area.

It is considered that all 3 elements of the proposal, the proposed two storey extension to front, the proposed ground extension to rear and the erection of the residential annex to rear, do respect the form and size of the original building (Paragraph 13.8).

The proposed extension to front is not large and will only extend less than a metre past the bay window, and the annex is not that big in terms of size and is in the middle of a large rear garden and so it will not be seen from the street and so will not detract from the character of the surrounding area. An access ramp is a more unusual feature in the street, but as it is entirely to the rear it will not impact the visual amenity and therefore the proposal is considered to be in harmony with the design, character and layout of the property and the surrounding area (Paragraph 13.9).

The ground floor rear extension and detached annex will not impact the main ridge line of the original property. The first-floor extension could impact the ridge line however the plans show that the proposed ridge line of the extension is set below the main ridge line. This makes it acceptable (Paragraph 13.10).

The only element that is visible in the street scene is the proposed two storey extension to front, as both the rear extension and detached annex are entirely to the rear. The proposed extension extends less than 1m past the existing bay window which is the furthest projection to the front of this property. This will not create an incongruent or prominent feature which is harmful in the street scene and is therefore acceptable.

Paragraph 13.10 continues by stating that extensions and alterations should not result in large blank elevations visible in the street scene. As mentioned, the proposed annex and rear extension are not visible in the street scene as they are entirely to the rear. The proposed two storey extension is visible in the street scene and as it is two storeys, it cannot be blank. It is not blank as there will be a door on the ground floor and a window to a bedroom on the first floor facing out onto the highway.

The Sustainable Design SPD states that new extensions should not reduce the car parking provision of the existing house to the extent where significant on street parking may result. The elements to the rear, do not take up parking spaces, nor does it reduce any car parking manoeuvring areas. The two-storey extension to front has been highlighted, by WCC Highways in their consultation as a possible concern but a condition has been put in place so that parking will not be issue and significant on-street parking will not result due to this proposal.

3. Impact on Highway Safety

WCC Highways were consulted on this application, on both the original plans and the amended plans. On the final plans they returned a response of No Objection subject to conditions.

This is because, if, as stated on the plans the new front extension will only extend slightly past the existing bay window then there will not be a severe intrusion into the parking area so vehicles can both park and manoeuvre safely. But as the proposed condition states the frontage needs to be surfaced with appropriate material and drainage be properly installed so that impact on the public highway does not occur.

It was felt that the condition surrounding the parking facilities was unenforceable but the reasoning behind the condition was sound and should be used. As a result, it has been reworded to ask for details of the car parking area before any above ground level development will take, and the council will need to approve these details before any development above ground level takes place.

Furthermore, WCC Highways feels as if the residential annex if remaining unconnected to the main property for renting or commercial purposes would impact the parking provisions as only captive parking would be available. This would not be acceptable and so a condition making the annex connected to the property as an ancillary building is also requested.

4. Conclusion

In conclusion this proposal has three elements which are unconnected, a two-storey extension to front, a ground floor extension to rear and an erection of a residential annex located in the rear garden. The ramp mentioned in the description is considered a part of the ground floor rear extension and so is acceptable. This report was assessing them in respect of the impact on residential and visual amenity and the impact the proposal would have on highway safety. All three are important, as if one was negatively impacted then the proposal would be refused. However, it can be concluded that the proposal will not have a significant impact on the visual amenity of the area, the residential amenity of the neighbouring properties and the proposal, will not impact highway safety to a point where the proposal can be refused, if there are conditions to improve the parking area. As a result, the committee is recommended to approve the application.

REASONS FOR APPROVAL:

Having regard to the pattern of existing development in the area, relevant provisions of the development plan, as summarised above, and the consultation responses received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

SCHEDULE OF CONDITIONS:

2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

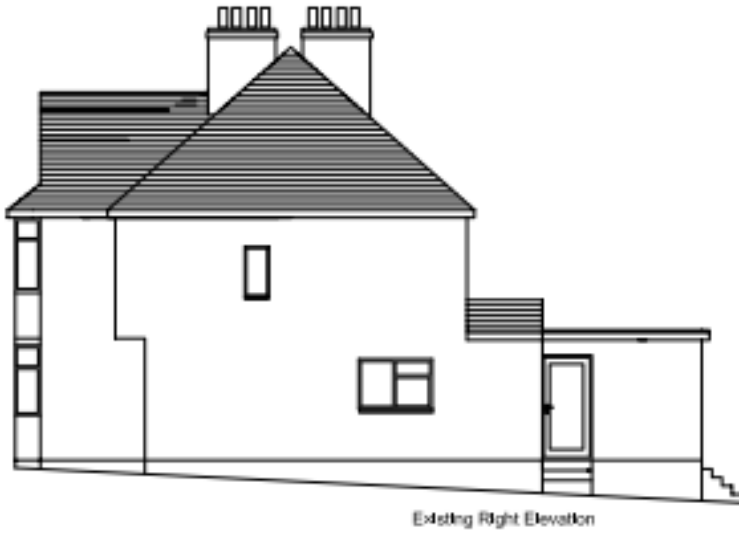
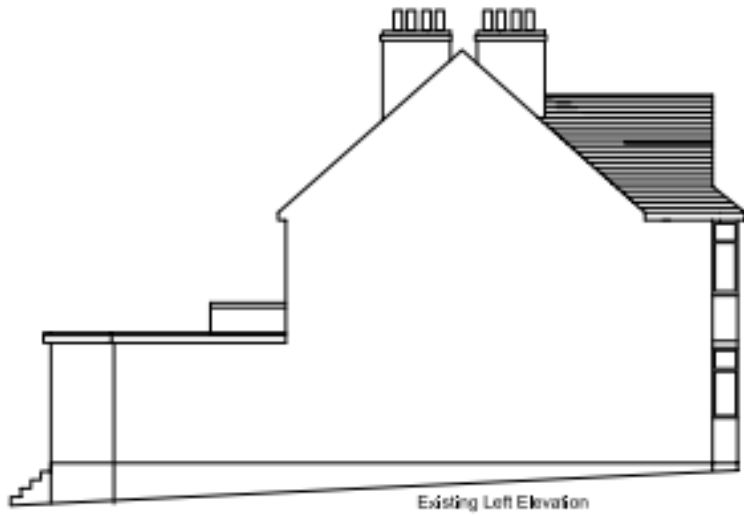
3. No development shall commence above ground level until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.

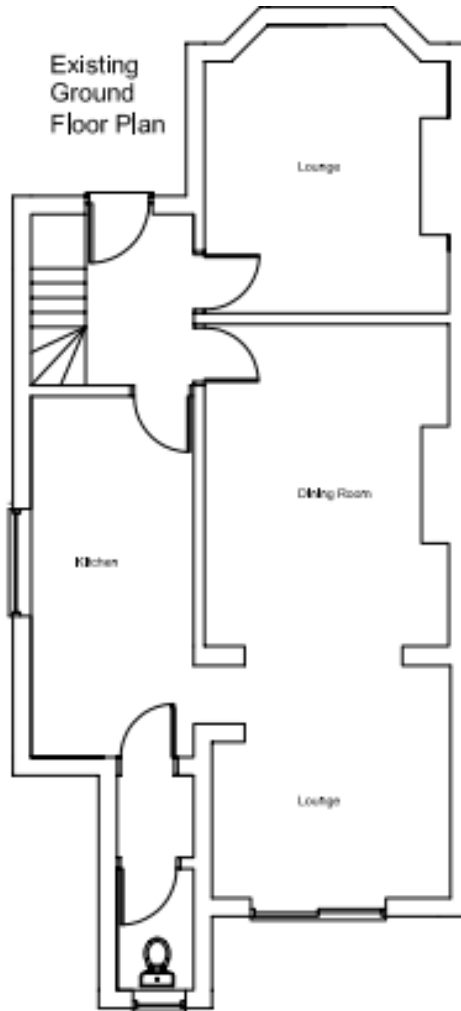
4. The residential annex hereby approved shall remain ancillary to the residential property at 109 Hinckley Road. It shall at no point form a separate dwelling unconnected to the existing residential property.

5. No development above ground level shall commence until full details of the car parking area, including surfacing and drainage details have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.

109 Hinckley Road, Nuneaton, CV11 6LJ

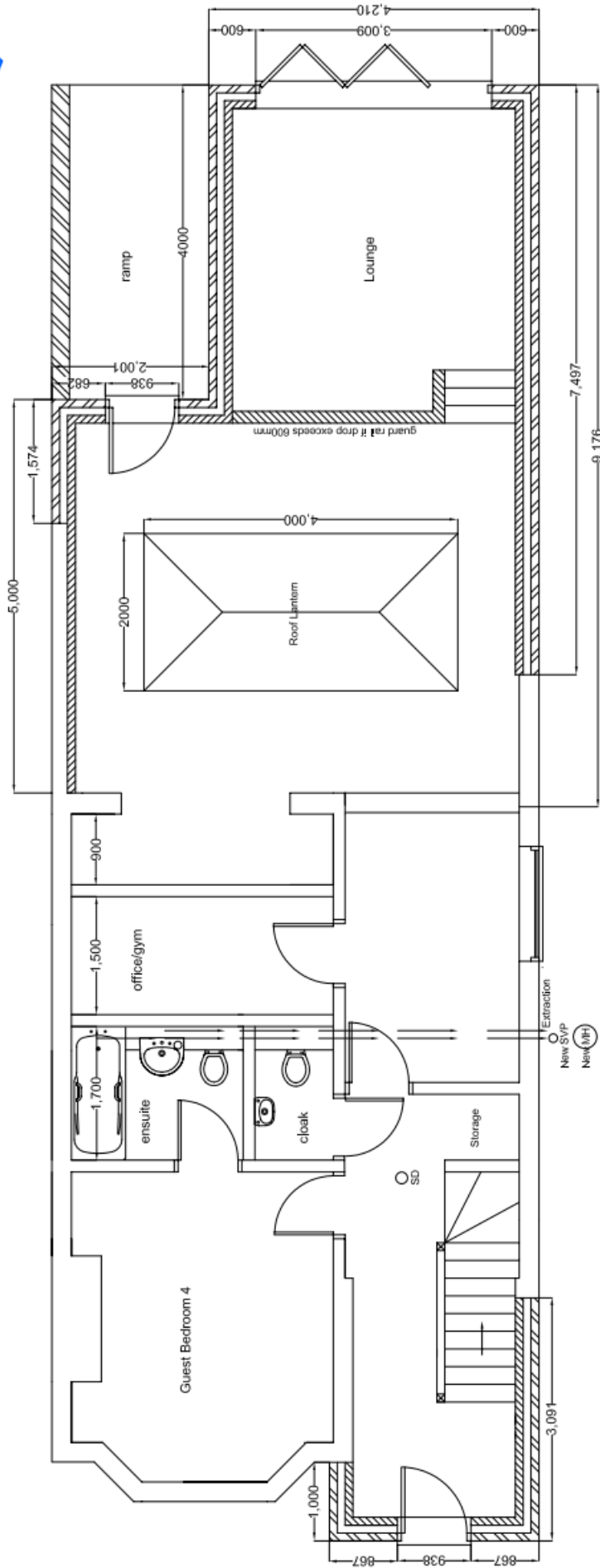


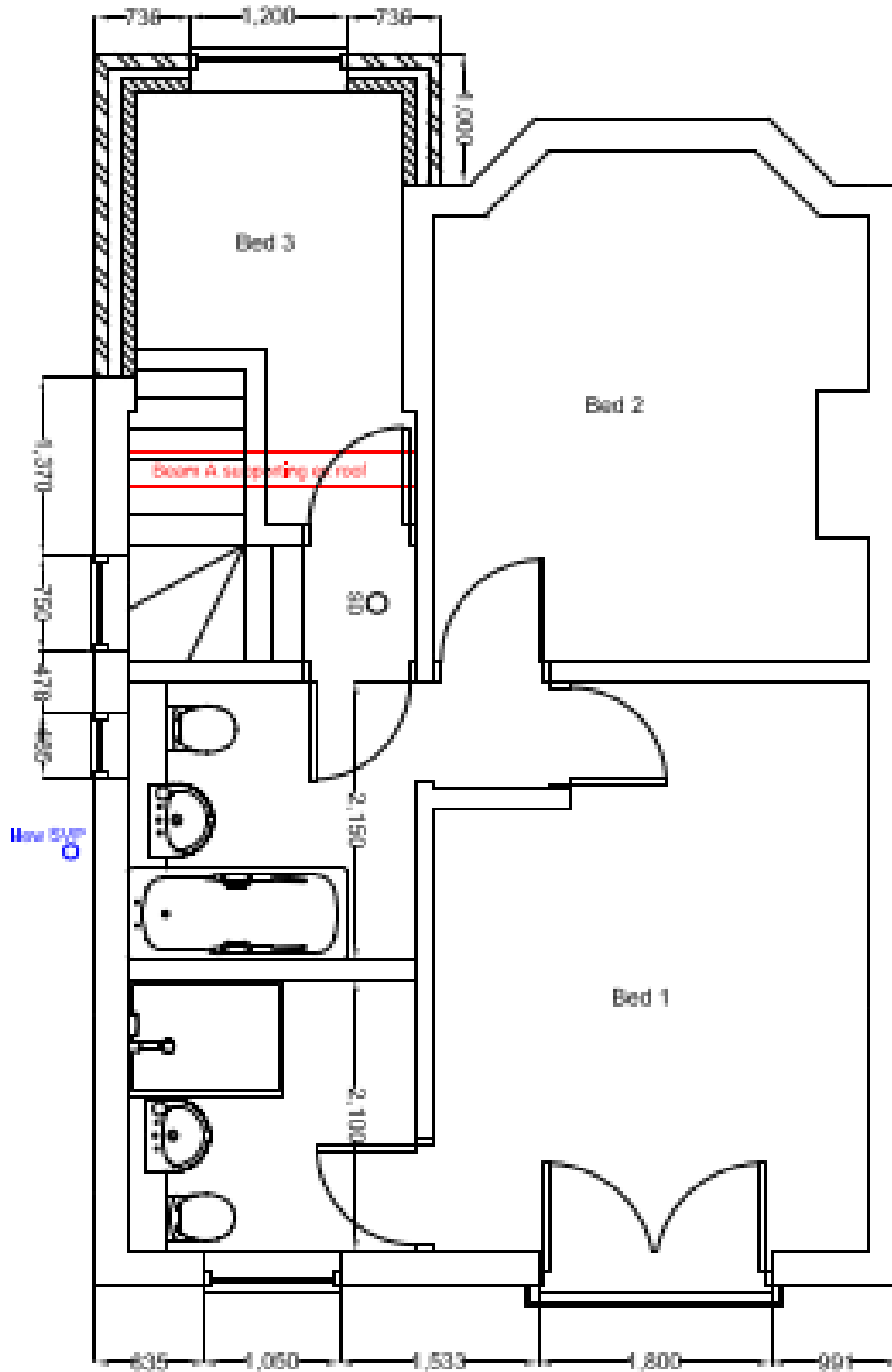




C

Proposed Ground Floor Plan
Scale: 1:100 @ A3





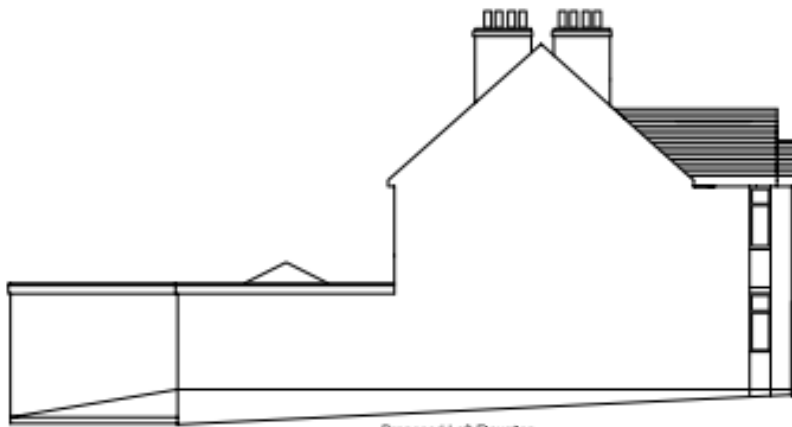
Proposed First Floor Plan
 Scale: 1:100 @A3



Proposed Front Elevation



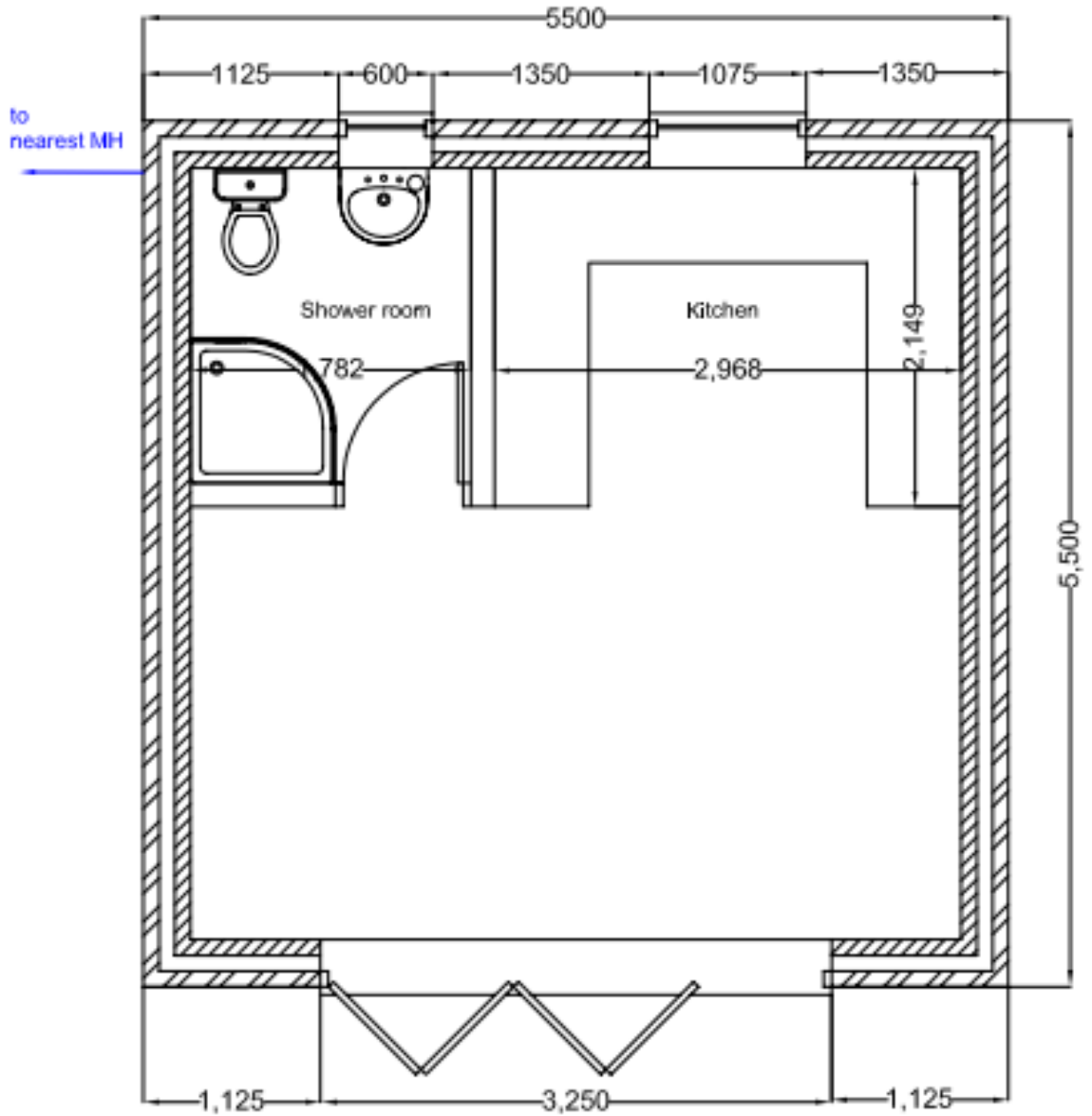
Proposed Rear Elevation



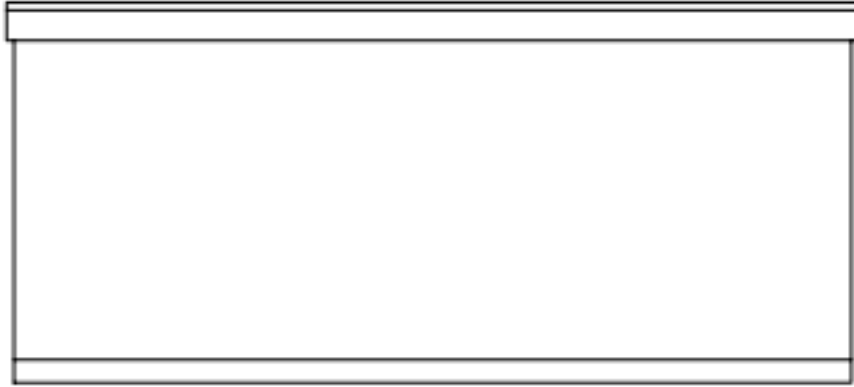
Proposed Left Elevation



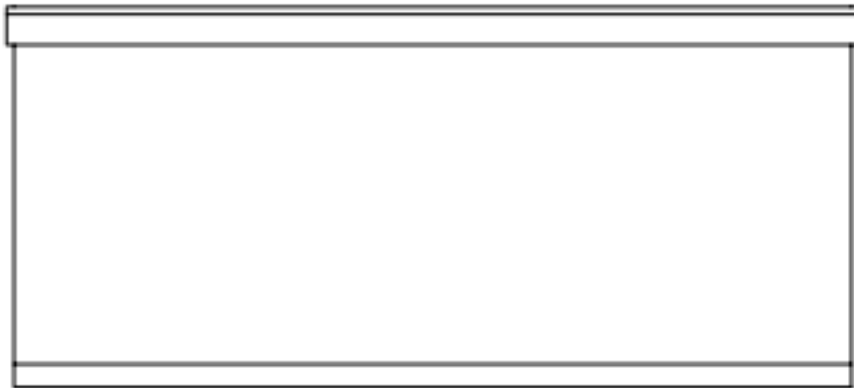
Proposed Right Elevation



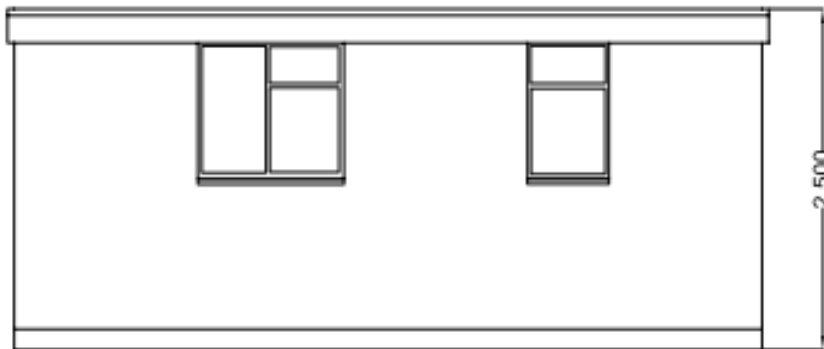
Proposed Annex
Plan View



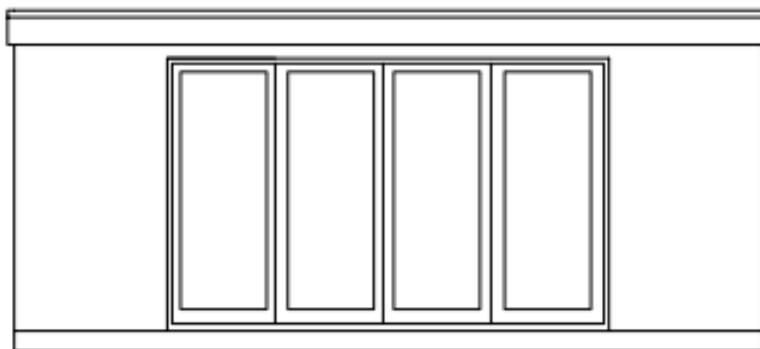
Proposed Annex Right Elevation



Proposed Annex Left Elevation



Proposed Annex Rear Elevation



Proposed Annex Front Elevation

REFERENCE No. 038347

Site Address: Site 63D004 - Mill Close, Nuneaton

Description of Development: Prior notification for new 15m "Phase 8" Telecommunications Street Pole with associated equipment cabinets

Applicant: CK Hutchison Networks UK Ltd .

Ward: AT

RECOMMENDATION:

Planning Committee is recommended to confirm that prior approval is not required.

INTRODUCTION:

Prior notification for new 15m 'Phase 8' Telecommunications Street Pole with associated equipment cabinets at "Site 63D004" Grass verge opposite 1a Mill Close, Nuneaton.

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Part 16 Communications Class A – Electronic communications code operators. Development is permitted by or on behalf of an electric communications code operator for the purpose of the operator's electronic communications network in, on, over or under land controlled by that operator or in accordance with the electronic communications code consisting of the installation of any electronic communication apparatus, subject to conditions.

In the case of the installation of a mast, the mast, excluding any antenna, should not exceed 20 metres above ground level on highway land. The proposed mast would be 15m to the top of the street pole (including the antenna).

As such, the development is considered to be permitted subject to the condition that:-

The siting and appearance of a mast which has been installed are such that the visual impact of the development on the surrounding area is minimised, so far as practicable.

Before beginning the development, the developer must apply to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to the siting and appearance of the development.

The site is a grass verge owned and maintained by WCC Highways located close to the junction of Mill Close and Lutterworth Road. The surrounding area is residential in nature, with a mix of two-storey dwellings and bungalows. The mast would mostly be read against 101 Lutterworth Road which is a large two-storey property. The boundary treatments to this dwelling are a mix of hedgerow, which appear to be at eaves level with the property, and some larger trees. The character of the street scene is green in nature, with many properties having shrubs, hedges and trees as part of their boundary treatments.

BACKGROUND:

Notwithstanding the level of objection received the application is being reported to Committee at the request of Councillor Sargeant

RELEVANT PLANNING HISTORY:

Not applicable

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction
 - HS3 – Telecommunications and broadband connectivity
- Sustainable Design and Construction SPD 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

WCC Highways

CONSULTATION RESPONSES:

Comment from:
WCC Highways

NEIGHBOURS NOTIFIED:

98a, 99, 100, 102, 103, 104 Lutterworth Road; 1, 1a, 2, 3, 5a Mill Close.

Neighbouring properties were sent letters notifying them of the proposed development on 5th October 2021 and amended letters were sent on 13th October 2021. A site notice was also erected on street furniture on 6th October 2021.

NEIGHBOUR RESPONSES:

There have been 12 objections from 8 addresses of which the comments are summarised below;

1. Impact on house values
1. Believed to be better locations that would not have as much of an impact
2. Overbearing impact
3. Eyesore
4. Loss of view
5. Disturbance during construction
6. Health issues that can be caused by the emission of higher frequency radio waves

APPRAISAL:

The key issues to assess in the determination of this prior approval application is:-

1. Whether the siting and appearance of the mast is appropriate

1. Siting and appearance

The developer has provided, as part of the submission of the application, a site specific supplementary information and planning justification statement.

The very nature of installing new 5G mast infrastructure within such an urban setting requires a highly considered balance between the need to extend practical coverage reach with that of increasing risk of visual amenity intrusion. The developer has concluded that, in this location, any existing mast sites are not capable of supporting additional equipment compliment to extend coverage reach across the target area and prospective 'in-fill' mast sites are extremely limited.

The developers submitted statement confirms that the proposed site has been carefully considered and confirms that the site will allow for the best available compromise between extending the 5G service across the target coverage hole with the selected street works pole height and associated antenna and ground-based cabinets, which have been restricted in height to the minimum which is capable of providing the required essential coverage.

The Adopted Roads Register shows that the proposed site location falls within adopted Highway. The National Planning Policy Framework (NPPF) section of this Supporting Statement goes into detailed analysis of why this site is in compliance with the NPPF.

The Government attaches great importance to the design of the built environment and outlines this within Section 12 (para. 124) of the National Planning Policy Framework. It states:

“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

In keeping with the National Planning Policy Framework (NPPF) guidelines of using: “high quality communications” (Section 10), the proposed design has been selected to minimise visual impact upon the streetscape by integrating with the existing built environment.

The proposed installation is an H3G LTE (Three) Phase 8 Monopole with wrap-around cabinet and 3 no. additional equipment cabinets will support the UK Government Digital connectivity vision and provide a basis for support from the local planning authority to speed up digital infrastructure rollout set by Ministers on 27 August 2020. In addition, such development will facilitate educational benefits, providing access to vital services, improving communications with the associated commercial benefits for local businesses, enabling e-commerce and working from home as well as enjoying access to social, media and gaming for leisure time activities.

In accordance with the requirement set within National Planning Policy Framework (February 2019) guidelines; the proposed 'Streetworks' design has been selected to minimise visual impact upon the street scene by integrating with existing street furniture, including street lights and traffic signs.

ICNIRP (International Commission on Non-Ionizing Radiation Protection) aims to protect people and the environment against adverse effects of non-ionizing radiation (NIR). Public compliance is determined by mathematical calculation and implemented by careful location of antennas, access restrictions and/or barriers and signage as necessary. Objections have been received which refer to the health issues associated

with masts. However, the developer has provided confirmation that the proposal is ICNIRP compliant.

In accordance with the sequential approach outlined in the NPPF, the following search criteria was been adopted. Firstly, consideration is given to sharing any existing telecommunication structures in the immediate area, secondly; consideration is then given to utilising any suitable existing structures or buildings and thirdly, sites for freestanding ground-based installations are investigated.

In compliance with its licence and the sequential approach outlined in the NPPF, all attempts to utilise any existing telecommunication structures where they represent the optimum environmental solution were employed. The Mast Data register is always examined prior to the submission of a planning application. It was found that no existing telecommunication structures or any other suitable existing structures/buildings were available within the search area.

As such, a total of 6 other ground-based sites were considered and discounted for various reasons. This is because the design of the proposed antenna and ground-based cabinets at the selected site was considered by the developer to be the least visually intrusive option available. The council conclude that, whilst it is accepted that there will be a localised visual increase through the installation of additional apparatus, it is considered that this will not be detrimental on the character of the existing street scene.

Comments have been received with regards to the negative impact the proposal will have on house values and that the mast will create a 'loss of view' from dwellings. However, these are not considered to be material planning considerations.

Additional comments were also received relating to the overbearing impact it would have and would create an eyesore within the street scene. Although it is accepted that the mast, which is proposed at 15m, is tall however they are not uncommon within the borough and elsewhere due to the rollout of 5G. In addition, it is considered that the pole has been positioned within the street scene so that it appears the least obtrusive as it would predominantly be read against the two-storey dwellings and existing street furniture. As such, it is considered that the siting and appearance of the monopole and associated equipment cabinets would be acceptable within this section of Mill Close.

Finally, the WCC Highway Authority were consulted on this application and raised the following comment –

There does not appear to be any information regarding the exclusion zone surrounding the pole, any maintenance workers carrying out repairs to the streetlight could be within the exclusion zone. The proximity of the pole to the streetlight may also affect access by the cherry picker used for the maintenance of the streetlight.

In reviewing these points made, it appears that this would be a civil matter between the developer and the Highway Authority.

2. Conclusion

To conclude, The Government considers that high-speed mobile connectivity is the 'lifeblood' of a Community. Considering the site-specific factors and technical constraints, available options and planning constraints, it is considered that the

proposed street pole clearly represents the optimum environmental solution to extend coverage to the target Community.

Furthermore, the use of the public highway to accommodate a new telecommunications installation complies with both central government and local planning policy guidance, where the underlying aim is to provide an efficient and competitive telecommunication system for the benefit of the community, while minimising visual impact.

In accordance with a recognised need to expand and promote telecommunications networks across the region, it is considered that the proposal fully accords with the National Planning Policy Framework as well as the conditions set out within Part 16 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015. Therefore it is considered that prior approval is not required for the development.

SCHEDULE OF CONDITIONS:

2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

<u>Plan description</u>	<u>Drawing No.</u>	<u>Date received</u>
Planning Rev. A	NAB17934	29 th September 2021

REFERENCE No. 037912

Site Address: Site 95c008 - Green Yard, King Street and 12-14 Croxhall Street
Bedworth

Description of Development: Erection of one bungalow and amendments to vehicle parking spaces previously approved under planning reference 036282

Applicant: Mr David Godfrey

Ward: BE

RECOMMENDATION:

Planning Committee is recommended to grant planning permission, subject to the conditions printed.

INTRODUCTION:

This application is for the erection of one bungalow and amendments to vehicle parking spaces previously approved under planning reference 036282.

The parcel of land is relatively flat and clear of trees and vegetation. The surrounding area is predominantly residential with a variety of property types and designs. The plot is within the identified settlement boundary with neighbouring residential dwellings to the north, south, east and west. The site is located within the boundary of Bedworth's Town Centre and it is also within the Bedworth Town Centre Conservation Area. The plot is within Flood Zone 1 (lowest risk) and is classified as being a low risk development by the Coal Authority.

The proposed dwelling is to be a bungalow with rooms within the roof space. The property would feature a gable roof with blue/black slate tiles, white rendered external walls with decorative headers and cills above all windows.

The location of three parking spaces approved under application 036282 would also be moved within the site to make space for the proposed bungalow.

RELEVANT PLANNING HISTORY:

- 036282 - Conversion of existing workshop in to 2no. one bedroom flats, first floor extensions to workshop building and elevational changes, and creation of new shared vehicular access including off street car parking

RELEVANT PLANNING POLICIES:

- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction
 - Supplementary Planning Guidance / Supplementary Planning Documents.

- Affordable Housing SPD 2020.
- Sustainable Design and Construction SPD 2020.
- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).

CONSULTEES NOTIFIED:

Cadent Gas, Environment Agency, NBBC Environmental Health, NBBC Housing, NBBC Parks, NBBC Planning Policy, NBBC Refuse, Severn Trent Water, WCC Fire Safety, WCC Highways, Western Power

CONSULTATION RESPONSES:

No objection subject to conditions from:
WCC Highways and NBBC Parks.

Comment from:
WCC Fire Safety.

No response from:
Cadent Gas, Environment Agency, NBBC Environmental Health, NBBC Housing, NBBC Planning Policy, NBBC Refuse, Severn Trent Water, Western Power.

NEIGHBOURS NOTIFIED:

48 and 46 King Street, Kings House, 12, 14 and 16 Croxhall Street, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 Cadman Close and 12 and 14 Greens Yard.

Neighbouring properties were sent letters notifying them of the proposed development on 13th April 2021. A site notice was erected on street furniture on 8th June 2021 and the application was advertised in The Nuneaton News on 25th August 2021.

NEIGHBOUR RESPONSES:

There have been 5 objections from 3 addresses. The comments are summarised below;

1. Impact on visual amenity
2. Impact on daylight and overshadowing
3. Impact on privacy
4. Noise and pollution from cars
5. Impact on highway safety
6. Impact on stability of existing properties
7. Impact on existing water infrastructure

There have been 7 letters of support from 6 addresses, the comments are summarised below;

1. Need for housing in the area
1. Increase visual amenity of the area
2. Good use of the land

APPRAISAL:

The key issues to assess in the determination of this application are;

1. The principle of the development
1. The Impact on residential amenity
2. The Impact on visual amenity

3. The Impact on the Conservation Area
4. Impact on highway safety
5. Conclusion

1. The Principle of Residential Development

Policy DS1 states that planning applications which are in accordance with the policies within the Borough Plan will be approved unless material considerations indicate otherwise. The proposed development will be assessed against the relevant policies within the Borough Plan below.

In regard to the principle of residential development, Policy DS2 states that Bedworth has a supporting role to Nuneaton and it is, in principle, appropriate for housing development. The land is within the settlement boundary, however as it is not within any designated development sites, it would be classed as a windfall site.

In regard to the type of development, Policy H1 of the Borough indicates that there is greatest need in the borough for three bedroom properties (53.3% modelled market need), followed by two bedroom properties (33.1%) then 4 bedroom properties (8.9%). This proposal would help meet this need by providing a two bedroomed property.

Environmental Health did not object to the consultation request, so it can be presumed that there are no concerns in relation to contaminated land (Policy BE1). The development is within a low risk coal zone and consequently no coal risk reports are required. The development is also within Flood Zone 1, which is the lowest level of risk. Policy NE4 states that new development should be prioritised to areas of lowest flood risk and therefore this proposal is considered to be compliant with this policy.

Policy DS3 states that developments should be sustainable and of a high quality whilst having a positive impact on amenity. The impact to amenity will be considered within later sections of this report (impacts on residential and visual amenity).

The surrounding area is made up of residential uses, so it is considered that this proposed use (of the flats in the workshop), purely in terms of the residential use, would blend well with existing land uses and would not form a contrasting use with those already in the area. The location close to the town centre, bus routes and with the train station slightly further afield mean the location is sustainable in terms of transport choices and bringing residential uses closes to shopping and places of work.

There is little vegetation on the site however there are trees to the north. A survey has been provided to ensure that the root protection areas for these trees are not impacted by the development or its construction and NBBC Parks have no objection subject to a condition.

2. The Impact on Residential Amenity

The way buildings relate to each other, their orientation and separation distance must provide and protect acceptable levels of amenity for both existing and future residents. These standards can be used flexibly, depending on house layout and on site circumstance. The only potential impact of this proposal is on the neighbouring residential properties at; 12, 14 and 16 Croxhall Street, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 Cadman Close and 12 and 14 Greens Yard.

14 Croxhall Street

14 Croxhall Street is the neighbouring property to the south of the site. The front elevation of the proposed bungalow would face onto the side boundary of no. 14's rear garden. The side elevation of no.14 does feature one ground floor window, however as the proposed bungalow is to be opposite the rear garden rather than the window it is considered to have little impact to the light and amenity of this window.

The proposed bungalow would feature one first floor window on the front elevation. In order to protect privacy and overlooking, section 11.6 of the Sustainable Design Guide SPD states that first floor windows should be at least 7 metres from the boundary with neighbouring outdoor amenity space. The distance between the proposed window and no.14's garden is 9 metres and therefore it is considered that the proposal is compliant with this policy. As such, the risk of overlooking and loss of privacy is considered to be minimal and of an acceptable level.

12 Croxhall Street

12 Croxhall Street is located to the south of 14 Croxhall Street. As no.14 is located in between the proposed dwelling and no.12, it is considered that the proposed property would have little impact on the privacy, light and amenity to 12 Croxhall Street.

16 Croxhall Street

16 Croxhall Street is located to the east of the site, with the rear elevation and rear garden backing onto the side elevation of the proposed bungalow. The rear elevation of no.16 features one window to the first floor, however this window serves a hallway/landing and this is not considered to be a habitable room. Habitable rooms cannot be protected under section 11.3 of the Sustainable Design Guide SPD and therefore the impact to this window cannot be assessed or considered.

The majority of no.16s outdoor amenity space is located to the front of the property, however it does also feature a smaller area of outdoor space to the rear. The proposed bungalow is to be set back from the boundary with this rear space by a metre and therefore it is considered to have little impact on the amenity of this outdoor space.

The proposed dwelling is shown to a side facing roof 'Velux' window which would be a metre from the boundary with no.16's rear garden. However, this window is shown to serve the landing and it will be obscure glazed and non-opening below 1.7 metres. Therefore it is considered that this window will pose little risk of overlooking, nor will it cause a loss of privacy.

6 - 15 Cadman Close

The flats at 6-15 Cadman Close are located to the north of the site. The rear elevation of these flats would face onto the rear elevation of the proposed dwelling. The distance between the properties is 22 metres and this is over the 20 metre minimum recommended in section 11.4 of the Sustainable Design Guide SPD. There is also an area of overgrown green space in between the properties on Cadman Close and the proposed dwelling and this means that the proposed property would be mostly concealed when viewing from Cadman Close. Therefore it is considered that the impact on amenity and privacy is considered to be of an acceptable level.

12 Greens Yard

12 Greens Yard is located to the south-west of the site. The properties are to be significantly offset and therefore it is considered that the proposed dwelling will have a minimal impact on light, privacy and amenity. Generally the impact to 12 Greens Yard is considered to be acceptable.

14 Greens Yard

14 Greens Yard is adjacent to the proposed dwelling to the west. The side elevation of no.14 does feature windows to the ground and first floor level, however these are part of a previous two storey side extension and cannot be considered as they are not original (section 11.3 Sustainable Design Guide SPD).

No.14 does feature original windows at the ground and first floor level to the front and rear elevations, however as the properties are roughly in line with each other, the proposed dwelling would not infringe a 45 or a 60 degree line from these windows. This is considered to be acceptable under section 11.9 of the Sustainable Design Guide SPD and therefore it is considered that the proposed dwelling would have little impact on the light and amenity to 14 Greens Yard.

The proposed bungalow is to be set back from the boundary with no.14 by a metre and therefore it is considered to have little impact on the amenity of 14 Green Yard's outdoor amenity space.

The proposed dwelling is shown to a side facing roof 'Velux' window which would be a metre from the boundary with 14 Greens Yard. However, this window is to serve the landing and it will be obscure glazed and non-opening below 1.7 metres. Therefore it is considered that this window will pose little risk of overlooking, nor will it cause a loss of privacy.

Residential Amenity for future owners/occupiers

New dwellings should provide a suitable level of amenity for future owners and/or occupiers and this can be achieved by providing outdoor amenity space and complying with the nationally described internal space standards.

Section 12.2 of the Sustainable Design Guide SPD states that a two-storey two bed dwelling should measure at least 70sqm internally. The proposed dwelling would feature an internal area of 77 sqm and therefore this is considered to be compliant with this policy.

The proposal property would feature a reasonably sized rear garden with suitable space for the drying of clothes. This is considered to be compliant with section 11.12 of the SPD and therefore it is considered that the proposal would provide an acceptable level of amenity for future owners and/or occupiers.

3. The Impact on Visual Amenity

The property would be mostly concealed from the public realm and therefore it would have little detrimental impact on the visual amenity of the area.

The gable roof is in keeping with neighbouring properties and the size, siting and scale of the dwelling is not considered to be incongruous or out of keeping. The front elevation of the bungalow is mostly in line with the front elevation of 14 Greens Yard and therefore it is considered that the dwelling follows the existing line of development.

The proposed materials are in keeping with those displayed on neighbouring properties and exact material samples will be requested via a condition to ensure that they are a suitable match. Generally, it is considered that the property would improve the visual amenity of the area by making use of a disused piece of brownfield land and this is considered to be acceptable.

4. The Impact on the Conservation Area

The Council does not currently have a specialised adopted SPD for the Bedworth Town Centre Conservation Area, however the Draft 2021 document has been released for review. The unadopted SPD displays the use of white render, blue brick and flat slate tiles as materials used within the Bedworth Conservation Area. It also highlights the use of decorative window lintels and sills. These design features and materials have been incorporated within the proposed bungalow and therefore it is considered that the materials are in keeping. The use of rooflight 'Velux' windows have been minimised to only one per side elevation in order to achieve a less modern appearance and these windows would mostly be concealed by neighbouring properties.

Whilst the proposed bungalow would be newer in age than other surrounding buildings, it is not considered that it would negatively impact them or the Conservation Area. The land is also separated from local listed buildings (The Alms-houses) by other residential dwellings and therefore it is considered that the dwelling would not impact the setting or character of this listed building.

Generally it is considered that the proposed dwelling would make good use of the unused brownfield land and it would not considerably harm the Conservation Area or surrounding buildings.

5. Impact on Highway Safety

Warwickshire County Council Highways initially objected to the siting of a bungalow in this location within a previous application (ref 036282) due to parking provision. The bungalow was removed from the scheme and approval was granted for the other elements of the application.

Highways initially objected to the first consultation request for this scheme on the basis of impact to parking and concerns in regard to the access and internal site layout on highway safety. A site meeting was conducted in July and amendments were produced to reduce the size of the bungalow to improve the flow and turning space. Highways consider these amendments to be acceptable and Highways now have no objection subject to conditions. Therefore, the impact to highway safety is considered to be acceptable.

6. Conclusion

In conclusion, the NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states

that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise.

In conclusion, the level of impact to neighbouring properties in terms of impact to light, amenity and loss of privacy is considered to be of an acceptable level as the scheme is compliant with policies set within the Sustainable Design and Construction SPD. This should carry significant weight when assessing the scheme. The proposal would make good use of an unused piece of brownfield land within the settlement boundary and it is considered that it would provide a good quality dwelling with sufficient parking, internal space and outdoor amenity space.

The dwelling is located within a Conservation Area, however it is considered that the scheme would not negatively impact the heritage value of the area or impact the setting of heritage and listed buildings. The Conservation Area features a large variety of property type, designs and ages and the design of the dwelling has been amended to provide a less modern appearance to be more in keeping.

Overall it is considered that the merits of the scheme outweigh any potential harm created and therefore the recommendation is one of approval subject to conditions.

REASONS FOR APPROVAL:

Having regard to the pattern of existing development in the area, relevant provisions of the development plan, as summarised above, and the consultation responses received, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

SCHEDULE OF CONDITIONS:

2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan reference	Date received
Proposed site plan	B19/03/P01H	19 th July 2021
Proposed floor and elevation plans	B19/03/P03A	30 th July 2021
Proposed site plan with RPAs	B19/03/P04	21 st October 2021

3. No development shall commence above damp proof course level until full details and samples of materials proposed to be used in the external parts of any building have been submitted to and approved in writing by the Council. The development shall not be carried out other than in accordance with the approved details.

4. The first floor windows shown on the approved plan B19/03/P03A received by the Council on the 30th July 2021, on the side elevations of the building shall not be fitted or subsequently maintained other than in obscure glazing. No new window or opening shall be provided at first floor level in the side elevations without the prior written consent of the Council.

5. No development shall commence until full details of the site levels and finished floor levels have been submitted to and approved in writing by the Council. No construction work shall be carried out other than in accordance with the approved details.

6. No development shall commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Council. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

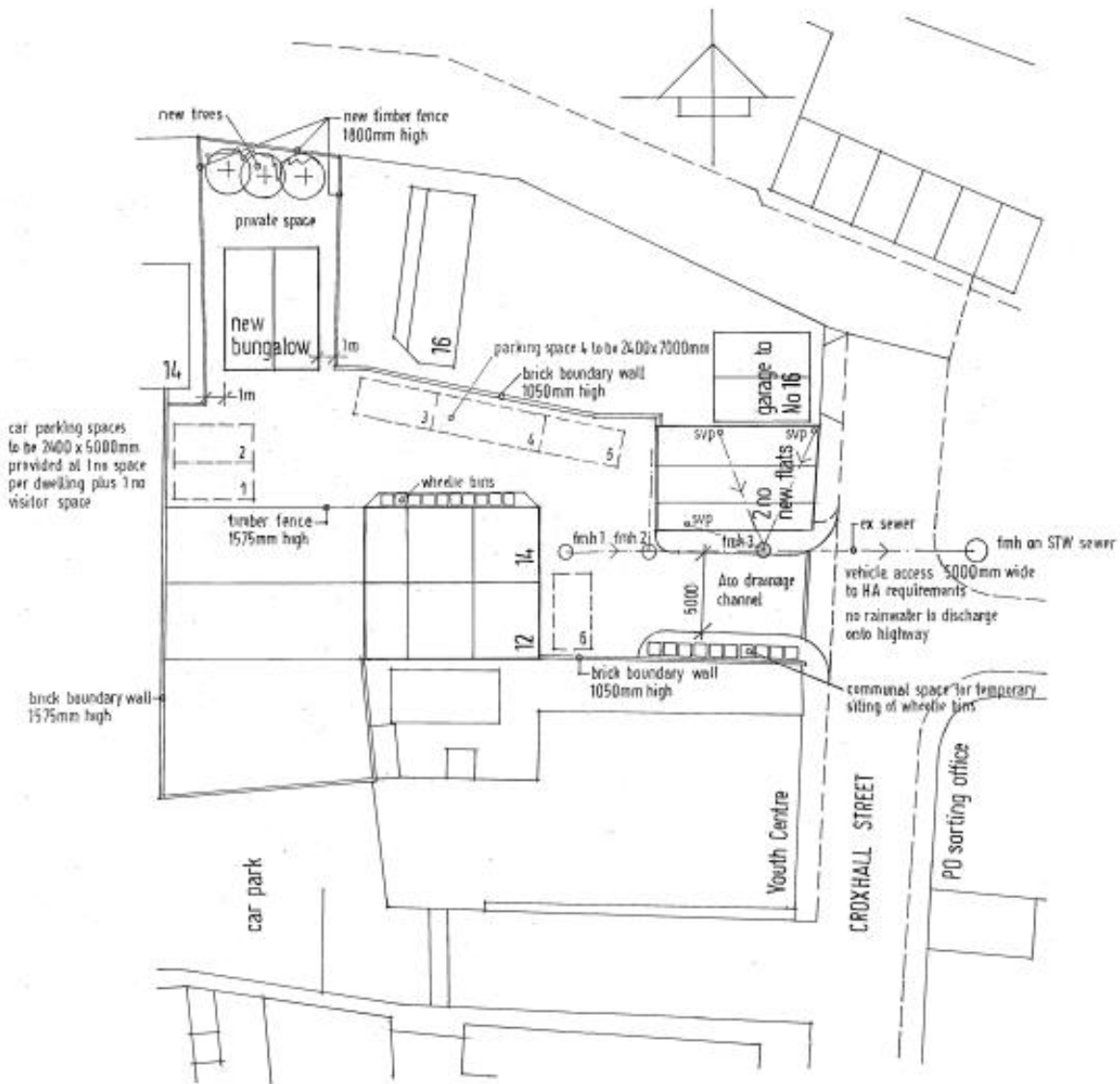
7. No development above damp proof course shall commence until full details of the boundary treatments, including new walls and fences, have been submitted to and approved in writing by the Council. No dwelling shall be occupied until the boundary treatment to that plot has been carried out in accordance with the approved details.

8. Access for vehicles and pedestrians to the site from the public highway shall not be made other than at the position identified on the approved drawing, number B19/03/P01H. No new dwelling shall be occupied until the existing vehicular access to the site been reconstructed as a dropped kerb footway crossing in accordance with the drawing (including closing-off permanently all parts of the existing access not required), laid out and constructed.

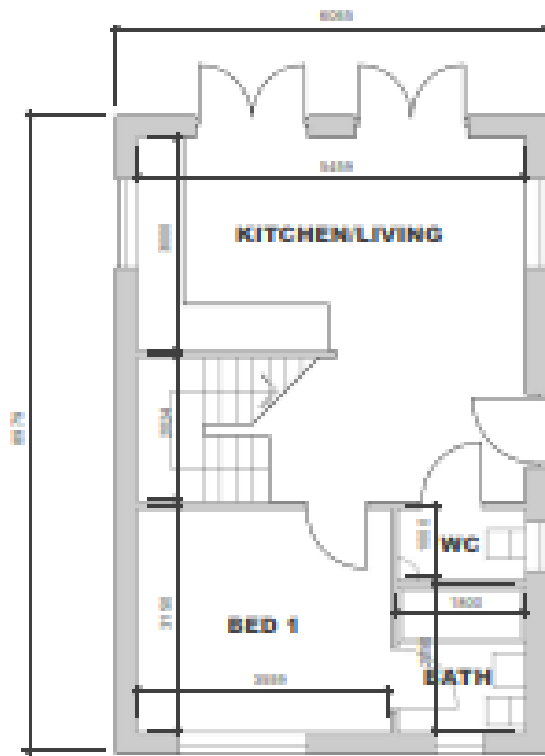
9. No new dwelling shall be occupied until the access, car parking, manoeuvring and service areas, including surfacing and drainage, have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be.

10. No structure, tree or shrub shall be erected, planted or retained within 2.4 metres of the frontage the site with the public highway footway, for a distance of 1.6 metres either side of the vehicular access, exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway footway.

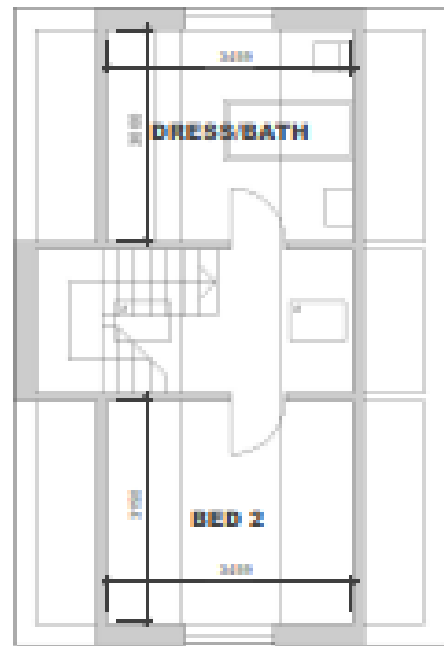
11. Prior to any demolition, development or the introduction of materials or machinery on site, a protective barrier must be erected in accordance with British Standard 5837:2012 in the location as shown in plan B19/03/P04 received by the Council on the 21st October 2021 date to create a construction exclusion zone. No building materials or machinery shall enter this construction exclusion zone until the dwellinghouse is water tight. The protective barrier shall only be removed once the dwellinghouse is water tight.



Proposed site plan



GROUND FLOOR PLAN



FIRST FLOOR PLAN

Proposed floor plans

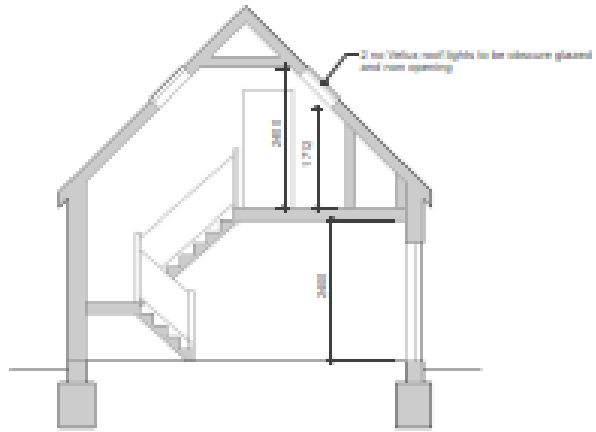


SOUTH ELEVATION

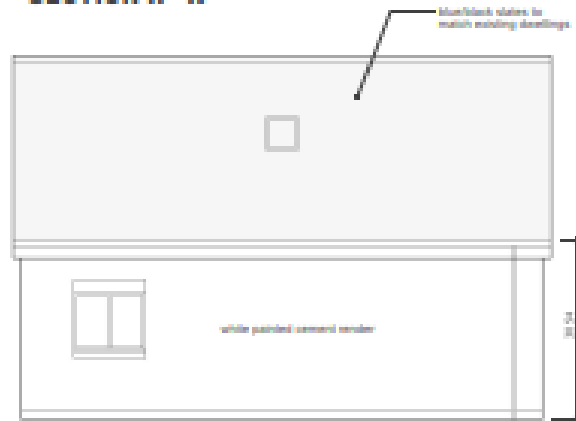


NORTH ELEVATION

Proposed front and rear elevation plans



SECTION X - X

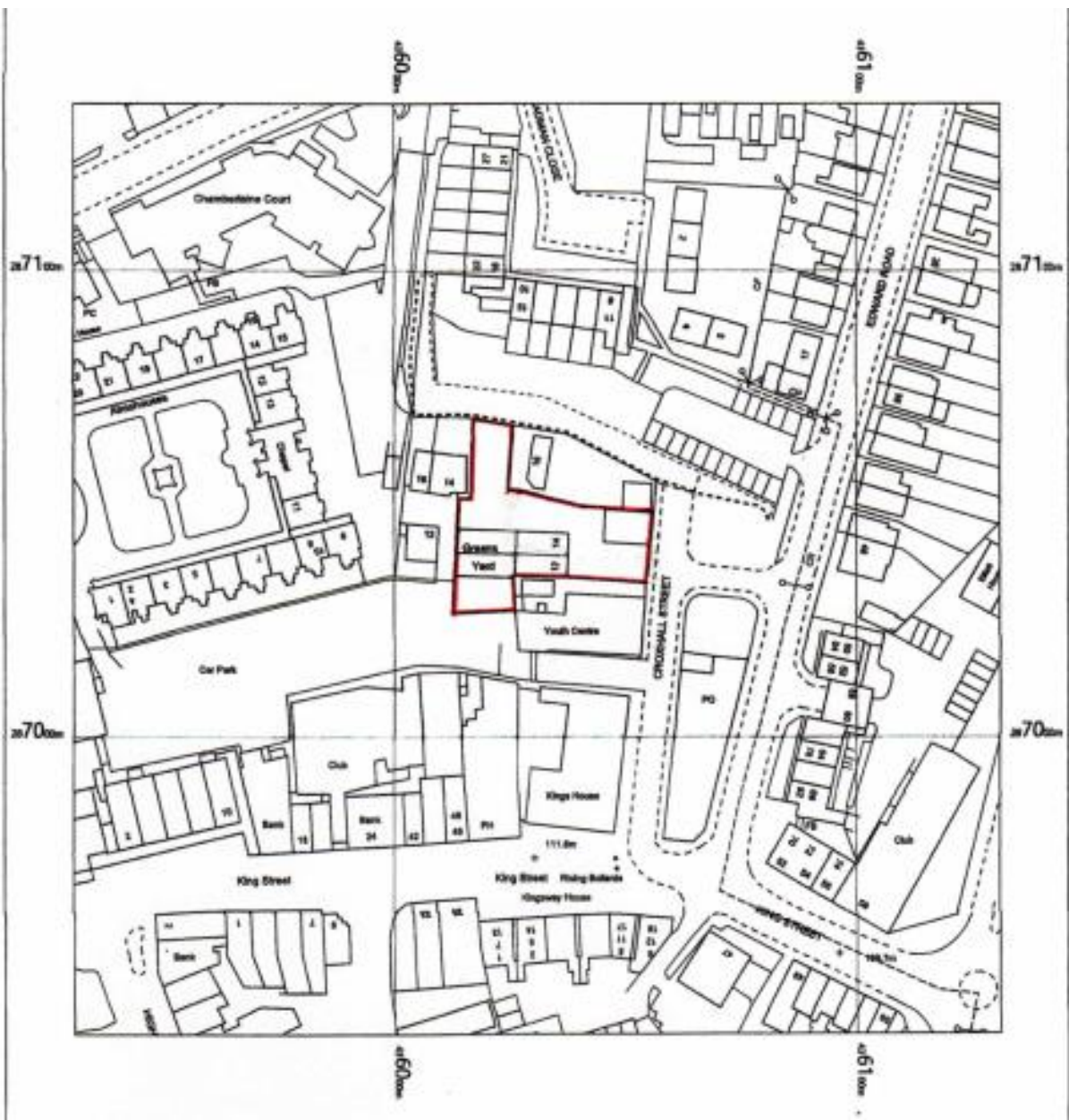


WEST ELEVATION

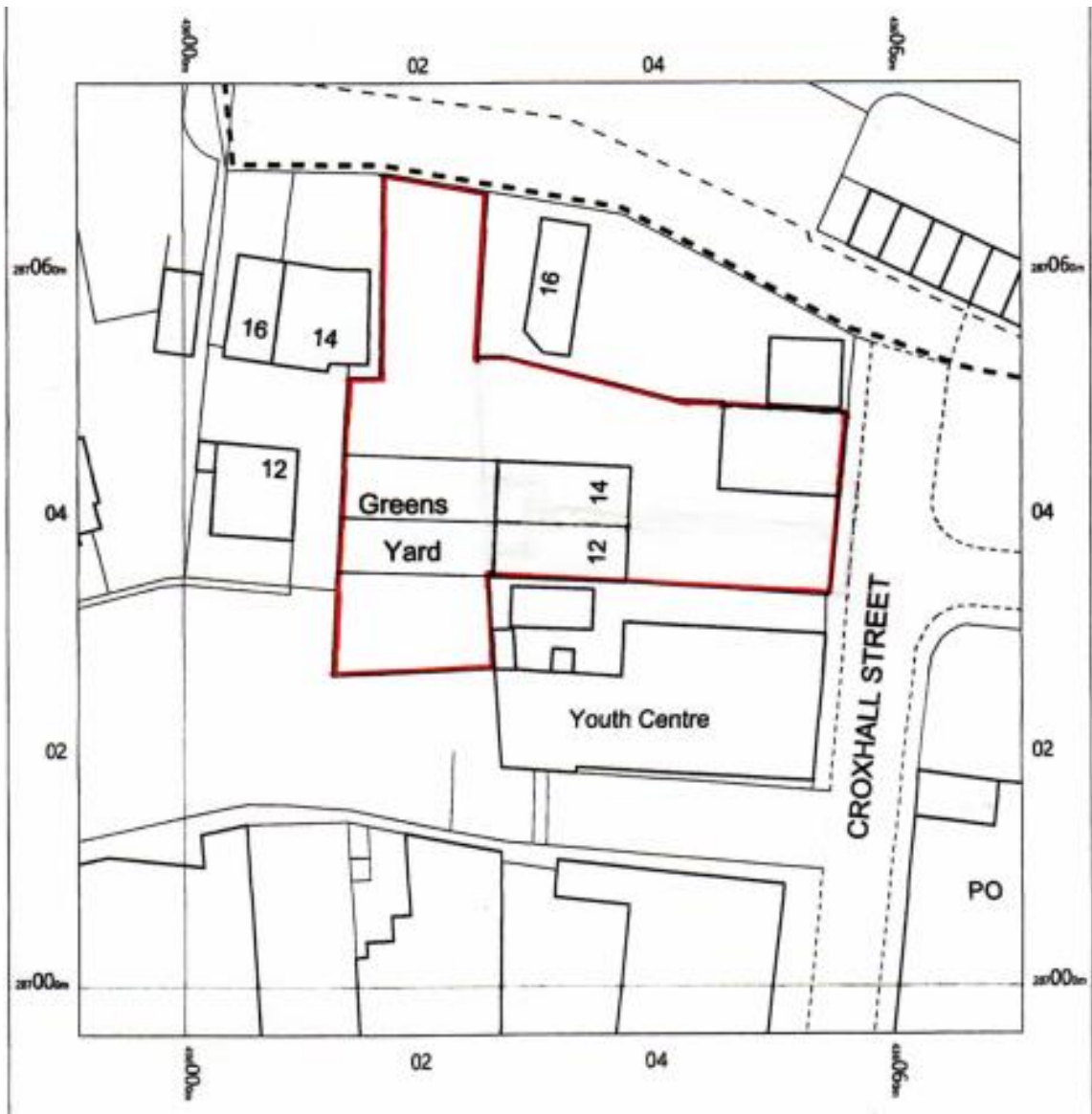


EAST ELEVATION

Proposed side elevations and internal section



Site location plan



Site location plan

REFERENCE No. 038094

Site Address: 10 Wood Street Bedworth Warwickshire CV12 8AY

Description of Development: Single storey extension to side

Applicant: Mrs Monica Kang

Ward: SL

RECOMMENDATION:

Planning Committee is recommended to grant planning permission subject to the conditions printed.

INTRODUCTION:

This application is for a single storey extension to side at 10 Wood Street, Bedworth, Warwickshire CV12 8AY.

Please note; that after extensive consultation, amended plans were received for the site on the 6th October 2021 whereby the proposed development had been changed from 2 storey side extension to form 2 flats, to just a single storey side extension in place of the existing garage at ground floor, with no proposed subdivision in to flats being dealt with as part of the planning application.

The application site is a two-storey end terrace house, characterised by buff brick, with a garden which exists on the rear and side of the application site. There is a garage/shed structure on the left-hand side of the dwelling which is the location for the proposed single storey extension.

The property comes up to the street frontage, with on street parking available. The garage is within the curtilage of the application site boundary. Neighbouring the site towards the West exists 12 Wood Street, which is also a two-storey terraced property characterised by buff brick, which is the adjoining property to the application site address, which is also set out in the same style as the application site, coming up to the street frontage, however this site does not have a garage within its curtilage.

Neighbouring the site towards the East exists the rear garden and outbuilding in the rear plot of 50 Hill Street. The street scene consists of terraced properties, most of which come up to the street frontage and there is very little private parking available, with most cars parking on-street. The terraced housing is largely of a similar two storey scale, however some use different building materials, including buff brick and render.

The garden of the application site is relatively small and extends 3.5 metres from the front where the garden starts, to the end where the garden backs onto the boundary of 24 and 26 Joseph Luckman Road. The topography of the garden is largely flat with overgrowth of boundary treatments.

RELEVANT PLANNING POLICIES:

- National Policy Planning Framework (NPPF).
- National Planning Practice Guidance (NPPG).
- Policies of the Borough Plan 2019:
 - DS1 – Presumption in favour of sustainable development
 - BE3 – Sustainable design and construction
- Sustainable Design and Construction Supplementary Planning Document (SPD) 2020.

CONSULTEES NOTIFIED:

WCC Highways.

CONSULTATION RESPONSES:

No objection subject to condition from:
WCC Highways

NEIGHBOURS NOTIFIED:

50 Hill Street, 24, 26 and 28 Joseph Luckman Road, and 12 Wood Street.

The final date for consultation was Thursday 8th July 2021

NEIGHBOUR RESPONSES:

There were objections to the proposal in the form of 2 signed petitions, the first of which included a total of 9 signatures from 9 addresses and the second included 8 signatures from 7 addresses, and two separate objections from 12 Wood Street, and from 14 wood street. The comments are summarised below:

- Concerns that the development is out of character with the surrounding area, and concerns of the impact of the proposal on traffic in the area.
- Adverse effect of the proposal on the property to the rear, 24 Joseph Luckman Road, and loss of light to habitable room windows, and loss of privacy because of the proposal
- Concerns that Question 10 of the application has been answered incorrectly in that it says there are no current parking spaces, however objector has identified there is currently one-off street parking space in the garage.
- Concerns that the increase in density would cause parking and highway issues.
- Concerns as to whether Highways have been consulted as part of the application.
- Concerns that the proposal to turn the two-bedroom semidetached house into 2 flats with an upper and lower flat will mean a kitchen and a lounge being immediately adjacent to two first floor bedrooms of 12 Wood Street.
- Request from the objector that a condition be placed upon the developer to include suitable sound / acoustic insulation on the upper party wall in recognition of there being kitchen appliances (tumble dryers/ washing machine) adjacent to the bedroom wall of 12 Wood Street.

APPRAISAL:

The key issues to assess in the determination of this application are;

1. Residential Amenity
2. Visual Amenity

3. Highway Safety
4. Other Considerations
5. Conclusion

1. Residential Amenity

The way in which the buildings relate to each other on Wood Street, their orientation and separation distance must protect the acceptable levels of amenity for both existing and future residents.

Impact on 12 Wood Street

The neighbouring property to the application site, is 12 Wood Street, which there is a concern to protect residential amenity. The proposed extension would not impact the 60-degree line from the midpoint of any habitable room on the ground floor, within the property of 12 Wood Street, especially as the extension is on the other side of the property towards 50 Hill Street. Therefore, in conclusion, there is no negative impact on residential amenity to this property because of the extension.

Impact on 24 and 26 Joseph Luckman Road, and 50 Hill Street

The proposed extension would not impact the 60-degree line from the midpoint of any habitable room on the ground floor, within the property at 24 and 26 Joseph Luckman Road and 50 Hill Street. This is because the proposed extension is single storey and is located 13 metres from the habitable room windows at ground floor level of the properties at 24 and 26 Joseph Luckman Road, and the extension is located 23 metres away from 50 Hill Street. Therefore, the extension does not have a negative impact on the residential amenity of these dwellings. The proposed roof type does not impact the light received to any habitable room windows, as there are no windows on the side elevation of this dwelling.

The extension proposed is single storey, therefore, there would be no concerns of overlooking from the proposal into the neighbouring or opposite properties. Therefore, the extension would not cause any overshadowing concerns. There are no blank walls of the proposed extension which would face any habitable room windows.

2. Visual Amenity

The design of the extension would relate to the original dwelling, as the proposed plans indicate that materials which match the material design of the existing dwelling is to be used, i.e., brickwork masonry to match the existing building. The roof proposed is a shallow hipped roof, however as the extension is a single storey extension, there is no pitch which could cause any obstruction to the neighbouring properties, and the window alignment is proportionate to the windows on the existing ground floor of the property.

The proposed roof type is acceptable in terms of design and will match the design of the existing dwelling and blend well with the existing street scene. The proposed extension would be visible from the street scene. Notwithstanding this, the extension will be visible from the street scene and would not be an intrusive addition to the property as similar materials are proposed for the extension as the application site address. Therefore, in conclusion, the extension will blend with the existing house. The extension is subservient in scale and form to the host dwelling and does not project over the ridge line of the existing dwelling.

3. Highway Safety

Highways were consulted a part of the application, and although they objected to the initial proposal, the amended plans include a single storey side extension, to which Highways provided a statement of no objection subject to the condition that the development shall not be occupied until all parts of the existing access within the public highway not included in the permitted means of access have been closed and the footway has been reinstated. Given that the proposal is just for a single storey extension to an existing house this condition is seen as a little excessive and not proportionate to the scheme.

Overall it is considered that there would be no significant harm to highway safety as a result of this single storey extension.

4. Other Considerations

Most of the objections received are in relation to the previous, original proposal for two storey extension and conversion of the dwelling into 2 flats. The new amended plans received includes just a single storey side extension, with no proposal to change to flats where highways have withdrawn their objection subject to condition. The Council did not reconsult with regards to the amended plans because they were a considerable improvement on the original plans, with significantly less impact on residential and visual amenity. The concern raised by complainants through objection and the petition, that the development would not be in keeping with the character of the surrounding area, no longer carries weight, because the proposed single storey extension would occupy the existing side garage which exists, which would be in keeping with the surrounding area.

5. Conclusion

In conclusion, The NPPF promotes a presumption in favour of sustainable development, and in line with the Planning and Compulsory Purchase Act 2004 states that decisions should be made in line with an adopted Development Plan, unless material considerations indicate otherwise. The potential impacts of the proposed development in relation to residential amenity, visual amenity and highway safety have all been considered.

Considering the above assessment, it is consequently considered that the proposed development would be in accordance with the development plan and other policies within the NPPF. Furthermore, there are no material considerations or adverse impacts which indicate that the application should be refused. It is therefore considered that the proposed development should consequently be approved subject to conditions.

REASONS FOR APPROVAL:

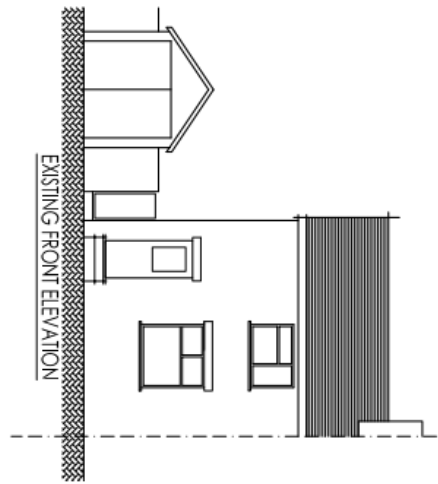
Having regard to the pattern of existing development in the area, relevant provisions of the development plan, as summarised above and the consultation responses received , it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, would not materially harm the character or appearance of the area or the living conditions of neighbouring occupiers and would be acceptable in terms of traffic safety and convenience.

SCHEDULE OF CONDITIONS:

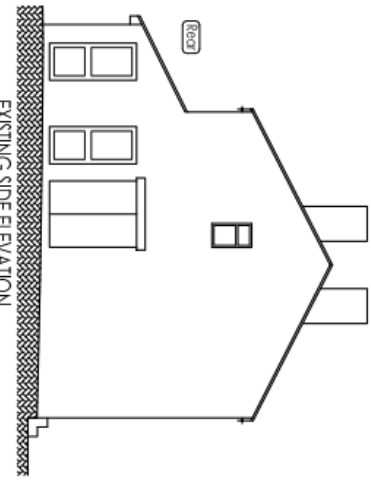
2. The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

Plan Description	Plan No.	Date Received
Existing Front, side, rear, ground and first floor plan and location plan	21/022/P01 Rev C	4th October 2021
Proposed front, side, rear, ground and first floor plan and block plan	21/022/P02 Rev C	4th October 2021

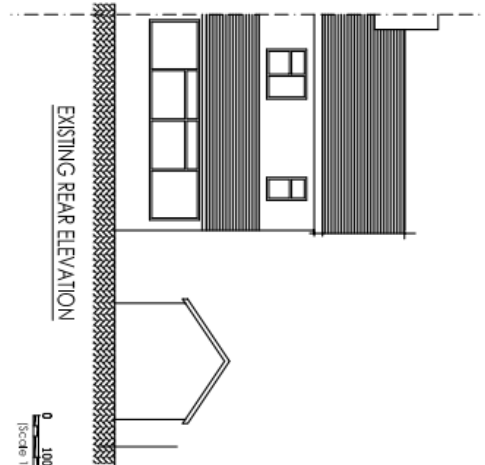
3. No external materials shall be used in the extension other than of the same type, texture, and colour as those used in the existing building, unless otherwise agreed in writing by the Council.



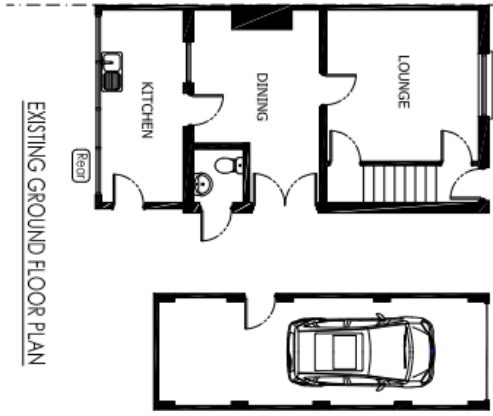
EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION



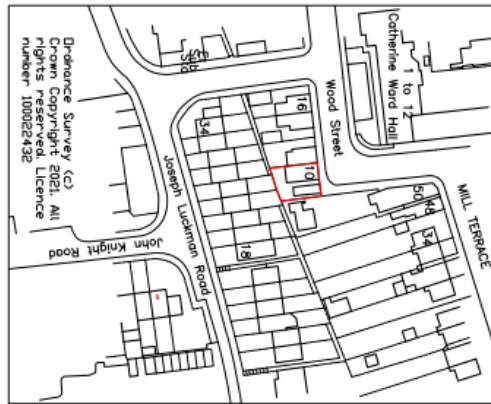
EXISTING REAR ELEVATION



EXISTING GROUND FLOOR PLAN



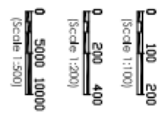
EXISTING FIRST FLOOR PLAN



EXISTING AREA LOCATION

ISOMET/200

Drainage Survey (C)
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 number 100022432



UDDIN DESIGN	Scale
RESPOKE BUILDING PLANNING	Rev
10 WOOD STREET	Rev
WILTON, BEDFORDSHIRE MK43 9TY	Rev
TEL: 01525 234444	Rev
WWW.UDDINDESIGN.CO.UK	Rev
Client: Mrs Monica King	Rev
10 Wood Street	Rev
Bedworth	Rev
CV12 8AY	Rev
Project: Proposed Extension and	Rev
Conversion of Single	Rev
Dwelling House to Two Self	Rev
Contained Flats	Rev
Scale: 1:100(0/0)	Date: 26/04/21
Drawn: SU	Paper Size: A3
Drawing Number: 21/022/P01	Revision: C

Existing front, side, rear, ground, first floor plan and location plan

Glossary

Adoption – The final confirmation of a local plan by a local planning authority.

Advertisement consent – A type of consent required for certain kinds of advertisements, such as shop signs and hoardings. Some advertisements are allowed without the need for an application by the Town and Country Planning (Control of Advertisement) (England) Regulation 2007.

Affordable housing – Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Authority monitoring report – A report that allows the Local Authority to assess the extent to which policies and proposals set out in all the local development documents are being achieved.

Appeal – The process by which a planning applicant can challenge a planning decision that has been refused or had conditions imposed.

Area action plan – A document forming part of the local plan containing proposals for a specific defined area.

Article 4 direction – A direction restricting permitted development rights within a specified area. They are often used in conservation areas to provide protection for things like windows, doors, chimneys, etc.

Brownfield – Land which has had a former use.

Conservation area – An area of special architectural or historic interest, the character and appearance of which are preserved and enhanced by local planning policies and guidance.

Conservation area consent – Consent needed for the demolition of unlisted buildings in a conservation area.

Consultation – A communication process with the local community that informs planning decision-making.

Certificate of lawfulness – A certificate that can be obtained from the local planning authority to confirm that existing development is lawful. Change of use – A material change in the use of land or buildings that is of significance for planning purposes e.g. from retail to residential.

Character appraisal – An appraisal, usually of the historic and architectural character of conservation areas.

Community – A group of people that hold something in common. They could share a common place (e.g. individual neighbourhood) a common interest (e.g. interest in the environment) a common identity (e.g. age) or a common need (e.g. a particular service focus).

Community engagement and involvement – Involving the local community in the decisions that are made regarding their area.

Design and access statement – A short report accompanying a planning permission application. Describes design principles of a development such as layout, townscape characteristics, scale, landscape design and appearance.

Design Code - A design code provides detailed design guidance for a site or area they prescribe design requirements (or 'rules') that new development within the specified site or area should follow.

Development – Legal definition is “the carrying out of building, mining, engineering or other operations in, on, under or over land, and the making of any material change in the use of buildings or other land.”

Development management control – The process of administering and making decisions on different kinds of planning application.

Development plan – A document setting out the local planning authority's policies and proposals for the development and use of land in the area.

Duty to co-operate – A requirement introduced by the Localism Act 2011 for local authorities to work together in dealing with cross-boundary issues such as public transport, housing allocations or large retail parks.

Economic development – Improvement of an area's economy through investment, development, job creation, and other measures.

Enforcement – Enforcement of planning control ensures that terms and conditions of planning decisions are carried out.

Enforcement notice – A legal notice served by the local planning authority requiring specified breaches of planning control to be corrected.

Environmental impact assessment – Evaluates the likely environmental impacts of the development, together with an assessment of how these impacts could be reduced.

Flood plain – An area prone to flooding.

Front loading – An approach to community engagement in which communities are consulted at the start of the planning process before any proposals have been produced. General (Permitted Development) Order The Town and Country Planning General (Permitted Development) Order is a statutory document that allows specified minor kinds of development (such as small house extensions) to be undertaken without formal planning permission

Green belt – A designated band of land around urban areas, designed to contain urban sprawl.

Greenfield site – Land where there has been no previous development.

Green infrastructure – Landscape, biodiversity, trees, allotments, parks, open spaces and other natural assets.

Green space – Those parts of an area which are occupied by natural, designed or agricultural landscape as opposed to built development; open space, parkland, woodland, sports fields, gardens, allotments, and the like.

Green travel plan – A package of actions produced by a workplace or an organization setting out how employees, users or visitors will travel to the place in question using options that are healthy, safe and sustainable, and reduce the use of the private car.

Highway authority – The body with legal responsibility for the management and maintenance of public roads. In the UK the highway authority is usually the county council or the unitary authority for a particular area, which can delegate some functions to the district council.

Historic parks and gardens register – The national register managed by English Heritage which provides a listing and classification system for historic parks and gardens.

Housing associations – Not-for-profit organisations providing homes mainly to those in housing need.

Independent examination – An examination of a proposed neighbourhood plan, carried out by an independent person, set up to consider whether a neighbourhood plan meets the basic conditions required.

Infrastructure – Basic services necessary for development to take place e.g. roads, electricity, water, education and health facilities.

Inquiry – A hearing by a planning inspector into a planning matter such as a local plan or appeal.

Judicial review – Legal challenge of a planning decision, to consider whether it has been made in a proper and lawful manner.

Legislation – The Acts of Parliament, regulations, and statutory instruments which provide the legal framework within which public law is administered.

Listed buildings – Any building or structure which is included in the statutory list of buildings of special architectural or historic interest.

Listed building consent – The formal approval which gives consent to carry out work affecting the special architectural or historic interest of a listed building.

Local authority – The administrative body that governs local services such as education, planning and social services.

Local plan - The name for the collection of documents prepared by a local planning authority for the use and development of land and for changes to the transport system. Can contain documents such as development plans and statements of community involvement.

Local planning authority – Local government body responsible for formulating planning policies and controlling development; a district council, metropolitan council, a county council, a unitary authority or national park authority.

Material considerations – Factors which are relevant in the making of planning decisions, such as sustainability, impact on residential amenity, design and traffic impacts.

Micro-generation – The small-scale generation of renewable energy usually consumed on the site where it is produced.

Mixed use – The development of a single building or site with two or more complementary uses.

National Planning Policy Framework (NPPF) – The government policy document first adopted in 2012 was updated in 2021. The NPPF introduces a presumption in favour of sustainable development. It gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Neighbourhood planning – A community initiated process in which people get together through a local forum or parish or town council and produce a neighbourhood plan or neighbourhood development order.

Non-determination – When a planning application is submitted and the local authority fails to give a decision on it within the defined statutory period.

Operational development – The carrying out of building, engineering, mining or other operations in, on over, or under land; part of the statutory definition of development (the other part being material changes of use of buildings or land).

Permitted development – Certain minor building works that don't need planning permission e.g. a boundary wall below a certain height.

Policy – A concise statement of the principles that a particular kind of development proposal should satisfy in order to obtain planning permission.

Parking standards – The requirements of a local authority in respect of the level of car parking provided for different kinds of development.

Plan-led – A system of planning which is organised around the implementation of an adopted plan, as opposed to an ad hoc approach to planning in which each case is judged on its own merits.

Planning gain – The increase in value of land resulting from the granting of planning permission. This value mainly accrues to the owner of the land, but sometimes the local council negotiates with the developer to secure benefit to the public, either through section 106 planning obligations or the setting of a community infrastructure levy.

Planning inspectorate – The government body established to provide an independent judgement on planning decisions which are taken to appeal.

Planning obligation – Planning obligation under Section 106 of the Town and Country Planning Act 1990, secured by a local planning authority through negotiations with a developer to offset the public cost of permitting a development proposal. Sometimes developers can self-impose obligations to pre-empt objections to planning permission being granted. They cover things like highway improvements or open space provision.

Planning permission – Formal approval granted by a council allowing a proposed development to proceed. Planning Practice Guidance (PPG) The government's PPG can be read alongside the NPPF and is intended as a guidebook for planners. It is not a single document but an online resource which is kept current through regular updates. Presumption in favour of sustainable development The concept introduced in 2012 by the UK government with the National Planning Policy Framework to be the 'golden thread running through both plan making and decision taking'. The National Planning Policy Framework gives five guiding principles of sustainable development: living within the planet's means; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

Public inquiry – See Inquiry.

Public open space – Open space to which the public has free access.

Public realm – Areas of space usually in town and city centres where the public can circulate freely, including streets, parks and public squares.

Regeneration - Upgrading an area through social, physical and economic improvements.

Retail – The process of selling single or small numbers of items directly and in person to customers. The use category defined as Class E in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Rural – Areas of land which are generally not urbanised; usually with low population densities and a high proportion of land devoted to agriculture.

Scheduled ancient monument – A nationally important archaeological site, building or structure which is protected against unauthorised change by the Ancient Monuments and Archaeological Areas Act 1979.

Section 106 – see Planning obligation.

Sequential test – A principle for making a planning decision based on developing certain sites or types of land before others, for example, developing brownfield land before greenfield sites, or developing sites within town centres before sites outside town centres.

Setting – The immediate context in which a building is situated, for example, the setting of a listed building could include neighbouring land or development with which it is historically associated, or the surrounding townscape of which it forms a part.

Space standards – Quantified dimensions set down by a local planning authority to determine whether a particular development proposal provides enough space around it so as not to affect the amenity of existing neighbouring developments. Space standards can also apply to garden areas.

Supplementary planning document – Provides detailed thematic or site-specific guidance explaining or supporting the policies in the local plan.

Sustainable development – An approach to development that aims to allow economic growth without damaging the environment or natural resources. Development that “meets the needs of the present without compromising the ability of future generations to meet their own needs”.

Town and Country Planning Act 1990 – Currently the main planning legislation for England and Wales is consolidated in the Town and Country Planning Act 1990; this is regarded as the ‘principal act’.

Tree preservation order – An order made by a local planning authority to protect a specific tree, a group of trees or woodland. Tree preservation orders (TPOs) prevent the felling, lopping, topping, uprooting or other deliberate damage of trees without the permission of the local planning authority.

Use classes order – The Town and Country Planning (Use Classes) Order 1987 (as amended) is the statutory instrument that defines the 8 categories of use of buildings or land for the purposes of planning legislation. Planning permission must be obtained to change the use of a building or land to another use class.

Urban – Having the characteristics of a town or a city; an area dominated by built development. Urban design – The design of towns and cities, including the physical characteristics of groups of buildings, streets and public spaces, whole neighbourhoods and districts, and even entire cities.

Urban fringe – The area on the edge of towns and cities where the urban form starts to fragment and the density of development reduces significantly.

Guide to changes to the Use Classes Order in England

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Shop not more than 280sqm mostly selling essential goods, including food and at least 1km from another similar shop	A1	F.2
Shop	A1	E
Financial and professional services (not medical)	A2	E
Café or restaurant	A3	E
Pub or drinking establishment	A4	Sui generis
Take away	A5	Sui generis
Office other than a use within Class A2	B1a	E
Research and development of products or processes	B1b	E
For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)	B1c	E
Industrial	B2	B2
Storage or distribution	B8	B8

Use	Use Class up to 31 August 2020	Use Class from 1 September 2020
Hotels, boarding and guest houses	C1	C1
Residential institutions	C2	C2
Secure residential institutions	C2a	C2a
Dwelling houses	C3	C3
Use of a dwellinghouse by 3-6 residents as a 'house in multiple occupation'	C4	C4
Clinics, health centres, creches, day nurseries, day centre	D1	E
Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts	D1	F.1
Cinemas, concert halls, bingo halls and dance halls	D2	Sui generis
Gymnasiums, indoor recreations not involving motorised vehicles or firearms	D2	E
Hall or meeting place for the principal use of the local community	D2	F.2
Indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms	D2	F.2

Changes of use within the same class are not development. Use classes prior to 1 September 2020 will remain relevant for certain change of use permitted development rights, until 31 July 2021. The new use classes comprise:

Class E (Commercial, business and service uses),

Class F.1 (Learning and non-residential institutions)

Class F.2 (Local community uses)